

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-120372-001 SE

02/13/2009

HON. TERESA SANDERS

CLERK OF THE COURT
M. Brown
Deputy

STATE OF ARIZONA

V GEORGE GIALKETSIS

v.

BOBBY DEAN SCADDEN (001)
DOB: 05/11/1966

EUGENE A BARNES IV

APO-SENTENCE IMPRISON-SE
APPEALS-CCC
AZ DEPT OF CORRECTIONS-PHOENIX
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

10:04 a.m.

State's Attorney:	V. George Gialketsis
Defendant's Attorney:	Eugene A. Barnes IV
Defendant:	Present
Court Reporter:	Antoinette Salazar

Count(s) 1 and 4: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 SECOND DEGREE MURDER
Class 1 FELONY

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A.R.S. § 13-1101, 1104, 604, 702, 702.01, 710, 801

Date of Offense: 03/24/2008

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 4 MISCONDUCT INVOLVING WEAPONS WITH TWO
HISTORICAL PRIOR FELONY CONVICTIONS

Class 4 FELONY

A.R.S. § 13-3101, 3102, 604, 701, 702, 702.01, 801

Date of Offense: 03/24/2008

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 22 year(s) from 02/13/2009

Presentence Incarceration Credit: 318 day(s)

Exceptionally Aggravated

Sentence is concurrent with Count 4 and CR 2006-176905-001SE and CR 2001-1094684A.

Count 4: 15 year(s) from 02/13/2009

Presentence Incarceration Credit: 318 day(s)

Exceptionally Aggravated

Sentence is concurrent with Count 1, CR 2006-176905-001SE and CR 2001-094684A.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Unlawful Flight From Law Enforcement Vehicle, a class 5 non-dangerous felony committed on 10/04/2000 and convicted on 12/12/2001 in Maricopa County Superior Court in CR 2001-094684.

Misconduct Involving Weapons, a class 4 non-dangerous felony committed on 03/02/2001 and convicted on 12/12/2001 in Maricopa County Superior Court in CR 2001-093541.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

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RESTITUTION: Count 1 - \$1568.66 to the following victim(s) in the following amounts:

Chase Bank (Business) \$1055.00

First Credit Union (Business) \$411.66

Doris Pesnell (Individual) \$102.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with ARS 31-230.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$10.00.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count counts 1 and 4 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

IT IS ORDERED granting the Motion To Dismiss the following: counts 2 and 3, allegation that the defendant was on felony release at time of offense, allegation that defendant was on probation at time of offense, allegation of additional historical prior felony convictions.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

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IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR 2008-120372-001SE.

10:20 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HON. TERESA SANDERS
JUDGE OF THE SUPERIOR COURT

(thumbprint)